

REMARKS

Applicant has carefully reviewed the Official Action dated May 21, 2008, for the above identified patent application.

Claims 1 - 8 and 13 - 18 are pending, and Claims 9 - 12 and 19 have been withdrawn from consideration as being directed to non-elected inventions in response to a Restriction Requirement.

The Examiner's indication at page 4 of the Official Action, that Claims 2 - 8 and 13 - 18 are directed to allowable subject matter, is gratefully acknowledged by the Applicant.

At pages 2 - 3 of the Official Action, Claims 1 - 8 and 13 - 18 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. In response to the formal grounds of rejection, Claims 1 - 8 and 13 - 18 have been amended to overcome the specific basis for formal grounds of rejection raised in the Official Action. The form of the pending claims has also been revised to present the claims in customary method format in compliance with current United States patent practice. Applicant respectfully submits that Claims 1 - 8 and 13 - 18, as amended herein, overcome the formal grounds of rejection raised in the Official Action, and comply with 35 U.S.C. Section 112, second paragraph, in all respects.

The Specification has also been revised to correct a typographical error at page 4, line 8, at which the reference numeral "55" should correctly be reference numeral "58". This amendment to the Specification is supported by Figs. 6 - 8 of the original drawings, which constitutes original disclosure to this application. Accordingly, the Specification can be corrected to conform to the disclosure of the original drawings without improperly adding new matter to this patent application.

The form of independent method Claim 1 now emphasizes that the claimed method comprises the steps of forming a first corner to each side of the center of a metal strip, and thereafter forming a second corner to each side of the center of the metal strip between the first corners (i.e., the second corners being formed closer to the center of the metal strip than the first corners) only after the first corners have been formed. The revision to the form of independent Claim 1 is supported by original independent Claim 1 itself; by page 3, lines 30 - 32, and page 4, lines 6 - 8 of the original Specification; and by Figs. 6 - 8 of the original drawings.

At pages 3 - 4 of the Official Action, independent Claim 1 has been rejected under 35 U.S.C. Section 102(b) as being anticipated by the Trishevsky et al patent (U.S. Pat. No. 4,558,577) for the reasons discussed in the Official Action.

The method defined by independent Claim 1, as amended herein, forms a U-profile having inwardly directed flanges, resulting in a C-profile. The claimed method can also produce a hat-shaped profile by outwardly directing the flanges. Corners 53, 56 are formed before the corners 54, 58 are formed. (See Applicant's specification, page 3, lines 30 - 32 and page 4, lines 6 - 8).

Contrary to the method defined by independent Claim 1, the apparatus disclosed by the Trishevsky patent teaches the forming of only two corners, resulting in only the forming of a U-profile. It does not teach or suggest forming a C-shaped profile or hat-profile by forming a first pair of corners to each side of the center of the metal strip, and after the forming of the first corners is completed, forming a second pair of corners to each side of the center of the metal strip, the second corners being located between the first corners (i.e., closer to the center of the metal strip).

It is well established that a rejection of a claim as being anticipated by a prior art reference requires the Patent & Trademark Office to establish a strict identity of invention between a single applied prior art reference and the rejected claim. Stated in other words, a rejection of a claim as being anticipated by a prior art reference requires the Patent & Trademark Office to establish that a single applied prior art reference discloses all features of the rejected claim, as

arranged in the claim. See, for example, Connell v. Sears, Roebuck & Co., 220 USPQ 193 (Fed. Cir. 1983).

In the present case, Applicant submits that when all positively recited features in independent Claim 1 as presented herein are considered in the patentability determination and compared to the disclosure of the Trishevsky et al patent, it is clear that the applied reference does not teach all of the features of independent Claim 1, and does not recognize the functional advantages resulting from the claimed method. Applicant respectfully submits that the Trishevsky et al patent does not anticipate (or suggest) the method defined by independent Claim 1 when all positively recited features of the method are considered in the patentability determination because it discloses forming only one pair of corners, and does not teach forming a second pair of corners closer to the center of the metal strip only after the formation of the first pair of corners has been completed.

For the reasons discussed herein, Applicant submits that independent Claim 1, as amended herein is in condition form for allowance.

As noted above, dependent Claims 2 - 8 and 13 - 18 have been indicated as being directed to allowable subject matter, but were rejected on formal grounds. Applicant submits that the amendments to the form of these dependent claims overcome the

formal ground of rejection raised in the Official Action, and place dependent Claims 2 - 8 and 13 - 18 in proper form for allowance. The allowance of parent independent Claim 1 will obviate any objection to dependent Claims 2 - 8 and 13 - 18 as depending from a rejected parent claim.

Applicant respectfully submits that this patent application is in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark P. Stone', written in a cursive style.

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REPLACEMENT PARAGRAPH FOR PARAGRAPH
STARTING AT PAGE 3, LINE 30 AND CONTINUING
THROUGH PAGE 4, LINE 18 OF SPECIFICATION

The first two roll-forming units 17, 18 and 21, 22 on each side of the strip are controlled such that their forming rollers follow the outermost corners 53, 56, that is, they follow the lines 53, 56 across the extent (Figure 8). There are two steps with pairs of forming rollers in tandem in each roll-forming unit, and thus each roller pair will not follow exactly the line of extent. However, the lines of extent have gradual bends, and this means that the error will be so small that it does not have any practical significance. It is also often possible to have three roll-forming steps at each roll-forming unit 17-24. It is also possible, if required, to have several roll-forming units in the line such that it is possible to use several roll-forming steps for each corner and to be able to roll-form more corners than the four corners that are shown. The term "corner" is used to denote not only sharp corners such as those shown but also corners in the form of bends. Nor is it necessary that the roll-forming is carried out in a symmetrical manner on the two sides of the strip as shown. When a point on the strip passes the roll-forming units 18 and 22, the corners 53 and 56 are fully formed and the roll-forming of the corners 54, ~~55~~ 58 then commences. When the strip passes the final roll-forming step, the strip has achieved its final form and in this case, when the profile is an open C-profile, it passes the bending station 25, the tube-forming unit 28 and the welding unit 29, without being processed or formed.

When the first slit 60 reaches the terminal cutter 30 feed of the strip is halted and the cutter passes up through the slit and completely cuts off the profile. The strip is then fed forwards and stopped when the slit 61 reaches the terminal cutter 30. The profile is then cut at this location and the intermediate section of profile becomes waste. It is also possible, naturally, to form other profiles than C-profiles, such as, for example, hat-profiles. If more roll-forming units than those shown are used, it is possible to form profiles with more corners than those shown. It is possible to determine for each profile how many roll-forming units are to be used for each corner, since the roll-forming units can be individually controlled.